

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

TIMOTHY JOHNSON,

Plaintiff,

Case No. 22-cv-154-pp

v.

TOROSIAN TECH SERVICES, INC.
and THOMAS TOROSIAN,

Defendants.

**ORDER GRANTING JOINT MOTION FOR COURT APPROVAL OF
SETTLEMENT AND DISMISSAL WITH PREJUDICE (DKT. NO. 16),
APPROVING SETTLEMENT AND DISMISSING CASE**

The plaintiff sued the defendants, alleging violations of the Fair Labor Standards Act, 29 U.S.C. §§201, *et seq.*, and Wisconsin's Wage Payment and Collection laws (WWPCL). Dkt. No. 1. Although the plaintiff brought the claims on behalf of himself and others similarly situated, he reached a settlement with respect to his individual claims. Dkt. No. 14. The court closed the case for administrative purposes while the parties finalized their settlement documents. On December 9, 2022, the plaintiff filed a joint motion for settlement approval. Dkt. No. 16.

As part of the settlement, the plaintiff has agreed to dismiss his FLSA and WWPCL claims with prejudice. Dkt. No. 16 at 2. Although there is no collective or class, this court still reviews a FLSA settlement. See Walton v. United Consumers Club, Inc., 786 F.2d 303, 306 (7th Cir. 1986); Brooks v.

Sherman Phoenix LLC, No. 20-CV-35-PP, 2021 WL 977071, at *1 (E.D. Wis.

Mar. 16, 2021) (“The Seventh Circuit has not addressed the question of whether stipulated agreements under the FLSA require court approval, but district courts in the Seventh Circuit routinely require such approval.”).

The plaintiff represents that the parties engaged in good faith, arms-length negotiations to reach the settlement of the plaintiff’s claims. Dkt. No. 16 at ¶5. The defendant has agreed to a settlement of \$32,500, which includes \$7,500 for the plaintiff and \$25,000 for attorney’s costs and fees. The plaintiff will receive \$7,500, which the plaintiff represents is the relative midpoint of the parties’ respective calculations of damages. Id. at ¶8. The parties represent that the settlement is a fair and reasonable resolution of *bona fide* disputes, including the amount and extent of the plaintiff’s claims. The court is satisfied that the agreement reflects a fair and reasonable compromise of the plaintiff’s claims.

The court **GRANTS** the parties’ joint motion for court approval of settlement and dismissal with prejudice. Dkt. No. 16.

The court **APPROVES** the settlement agreement. Dkt. No. 16-1.

The court **ORDERS** that the administrative closure is converted to a **DISMISSAL WITH PREJUDICE**. The clerk will enter judgment accordingly.

Dated in Milwaukee, Wisconsin this 30th day of May, 2023.

BY THE COURT:



HON. PAMELA PEPPER
Chief United States District Judge